

VZCZCXYZ0000
OO RUEHWEB

DE RUEHBNS #3930/01 3311246
ZNY SSSSS ZZH
O 271246Z NOV 06
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC IMMEDIATE 3713

S E C R E T BRUSSELS 003930

SIPDIS

SIPDIS

E.O. 12958: DECL: 11/27/2016

TAGS: BE PREL PTER TU

SUBJECT: USG DELEGATION APPROACHES BELGIUM ON PKK TERRORISM

REF: A. BRUSSELS 1585

¶B. BRUSSELS 1083 C. BRUSSELS 225

Classified By: POLCOUNS TED ANDREWS. REASONS 1.4 (B) AND (D).

¶11. (S) SUMMARY: An inter-agency USG team, led by S/CT Principal Deputy Counterterrorism Coordinator Frank Urbancic, met with representatives of Belgium's counterterrorism, law enforcement, and intelligence communities to discuss ways to engender joint cooperation against the Kurdistan Workers Party (PKK), a USG and EU-designated foreign terrorist organization. The meetings were the first step in initiating an ongoing bilateral dialogue that would explore various ways to combat PKK activities in Belgium, including through intelligence exchange, investigating organized crime, prosecutions, diplomatic initiatives, and steps against terrorist financing. The Belgians, who have indicated in the past that increased dialogue would help facilitate their effort to monitor and combat the PKK (ref A), reacted positively to the idea of increased bilateral cooperation. They were optimistic about the November 7 Belgian Court of Appeals decision to uphold DHKP-C convictions (and in some case apply longer sentences) under Belgium's 2003 antiterrorism law. According to MFA Counterterrorism Adviser Andre Ceulemans, Belgium "will look at this and other avenues to fight the PKK." END SUMMARY.

¶12. (S) S/CT Deputy Counterterrorism Coordinator Frank Urbancic, EUR/SE Director Doug Silliman, Department of Treasury Advisor on Terrorism Finance Justin Serafini, Department of Justice Legal Adviser Suzanne Hayden, and S/CT Regional Affairs Officer Zachary Rothschild, accompanied by embassy staff, met with representatives from Belgium's Ministry of Foreign Affairs, State Security Service (Surete), and Federal Police November 8 to discuss ways the U.S. and Belgium can develop an agreed set of measures to combat PKK activities in Belgium. The MFA's Deputy Political Director and Counterterrorism Adviser Andre Ceulemans and Surete's Chief of Intelligence Operations Robin Libert chaired separate meetings with the USG team. Embassy staff and Ambassador Korologos met with the USG team prior to their meetings with the Belgians to discuss Belgian thinking on the PKK and consider the most promising approach to use with the GoB.

¶13. (S) Urbancic laid out USG thinking to the Belgians. He said the United States is trying to engage European partners on the PKK and find a new way to talk about the group, not just as a terrorist organization but as an organized crime group engaging in a myriad of criminal activities to support terrorism, activities that host countries could investigate and prosecute, under local criminal laws. These include extortion, money laundering, and tax evasion. A broader view of what constitutes terrorism -- and what activities support and facilitate terrorism -- could be crucial in host country efforts to combat the PKK.

¶14. (S) Both MFA and Surete officials pointed to the November

7 Belgian Court of Appeals decision to uphold the DHKP-C convictions handed down in February under the 2003 antiterrorism law as very important; they thought the ruling would influence the PKK to limit its activities in Belgium. They said Belgian authorities will now review the court decision and assess if and how they can go after the PKK under the law, particularly in terms of sentencing and the type of activity criminalized. Ceulemans said Belgium "will look at this and other avenues to fight the PKK." He said racketeering and extortion by the PKK was difficult to prove, but thought the 2003 antiterrorism law provided a good vehicle for going after criminal activity. Urbancic concurred that the court ruling was a major positive step, and agreed with Ceulemans that any avenue for disrupting PKK operations and making their activities more transparent is important. He said the U.S. wants to work with Belgian authorities to help investigate criminal activity and vehicles for financing terrorism.

¶ 15. (S) Ceulemans, pointing to the DHKP-C and the Moroccan Islamic Combatant Group (GICM) prosecutions, said Belgium's 2003 Terrorist Offence Act has made it easier to fight terrorism. He said Belgium was considering creating a separate national list of terrorists, hopefully by next year, that might list PKK "subsidiary" groups. Right now, Belgium follows EU listings. Ceulemans mentioned the case against ROJ-TV, pending in a Brussels court, where prosecutors are exploring whether ROJ-TV was involved in money laundering. He called the case a "good sign" for Belgian activism against the PKK. (He was not sure when the case would be resolved.)

¶ 16. (S) EUR/SE Silliman noted it was important to look at the activities of NGO's used to raise and launder money for the PKK, and pointed to the use of direct flights from Europe (including Brussels) into northern Iraq to carry cash to PKK terrorists in Iraq. Surete's Libert said cash couriers were used extensively, often funneling money through the Channel Islands. In terms of investigating other criminal activity, police officials lamented it was often difficult to bring criminal cases ("no one complains about extortion").

¶ 17. (S) Silliman further inquired about the kind of information that would be useful to Belgian officials in focusing their investigations. He said the U.S. was working on raising the quality of information provided by Turkey. Ceulemans noted Belgian prosecutors could not use classified information in their criminal files and the quality of Turkey's information was limited. Belgian authorities signaled a willingness to cooperate with the US against the PKK through both a law enforcement approach, as well as through counterterrorism measures.

¶ 18. (S) Despite barriers to the use of classified information in courts, new Belgian authorities permit new types of investigations. Representatives from the Belgian Federal Police said the Federal Prosecutor's office is seriously considering investigating both large and small non-profit groups under year-old legislation that permitted Belgian authorities to review NGO finances. The investigation would focus initially at a national level, but may broaden to include international connections in due course, and not only cover potential fronts for the PKK, but organizations aiding and abetting other terrorist organizations.

¶ 19. (S) Silliman also asked if it were possible for Belgium to withdraw the asylum, refugee, or residence status granted years earlier to PKK leaders. Ceulemans thought it would be difficult if no criminal charges were pending. He said PKK members can circulate freely and organize events authorized by local authorities, as long as they engaged in "non-incitement activities." Ceulemans' assistant, Veronique Petit, thought refugee status could be refused or rescinded under the Geneva Convention based on the commission of war crimes or crimes against humanity, but specific evidence was needed on a case-by-case basis. Petit said she would review the question further, but thought it would be difficult to use such an approach in Belgium.

¶10. (S) Urbancic expressed appreciation to the Belgians for their cooperation and called these initial meetings the first in a series in which we want to deepen our discussion of the PKK, collaborate to combat PKK activities, and explore host countries' capabilities. He wondered about the possibility of Belgium hosting an inter-ministerial meeting to further discuss the PKK. Ceulemans responded that the bilateral collaboration was "a productive path" for Belgium and noted he would alert relevant ministries about the meeting, including Justice Minister Onkelinx. Police officials wanted to proceed with cautious optimism, until Belgian authorities could complete their review of the Court of Appeals ruling in the DHKP-C case and assess how much can be done under the 2003 antiterrorism law. Libert, however, thought approaching the PKK from an organized crime and terrorism angle might work.

¶11. (U) Deputy Counterterrorism Coordinator Urbancic approved this message.

KOROLOGOS

.